

**Amendment and Response**

Applicant: Thomas Walley

Serial No.: 10/004,512

Filed: October 26, 2001

Docket No.: 10010478-1

Title: APPARATUS AND METHOD FOR THREE-DIMENSIONAL RELATIVE MOVEMENT SENSING

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**REMARKS**

This Amendment is responsive to the Office Action mailed August 28, 2003. In that Office Action, the Examiner rejected claims 1-5 under 35 U.S.C. §102(e) as being anticipated by Khoshnevis, U.S. Patent Application Publication No. US 2003/002087 A1 (“Khoshnevis”). The Examiner’s indication that claims 6 and 7 would be allowable if re-written in independent form, and that claims 8-18 are allowed is noted with appreciation.

With this Response, claim 1 has been amended, and independent claim 19 has been added. Claims 1-19 remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 102**

The Examiner rejected claims 1-5 under 35 U.S.C. §102(e) as being anticipated by Khoshnevis, U.S. Patent Application Publication No. US 2003/002087 A1 (“Khoshnevis”). Independent claim 1, as amended herein, includes the limitation “the sensor configured to generate digital representations of the far-field images and to generate three-dimensional relative movement data based on a correlation of the digital representations of the far-field images”. Khoshnevis does not teach or suggest correlating digital representations of far-field images, or generating three-dimensional relative movement data based on a correlation of the digital representations.

In view of the above, independent claim 1 is not taught or suggested by Khoshnevis. In addition, dependent claims 2-5, which further limit patentably distinct claim 1, are also believed to be allowable over the cited reference. Allowance of claims 1-5 is respectfully requested.

**Newly Presented Claim 19**

The Examiner indicated that claim 6 would be allowable if rewritten in independent form, including the limitations of the base claim and any intervening claims. Claim 6 is dependent on independent claim 1. With this Amendment, the Applicant has submitted new independent claim 19, which includes the limitations of claims 1 and 6. Claim 19 is not taught or suggested by the cited prior art, and allowance of claim 19 is respectfully requested.

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**Allowable Subject Matter**

In light of the above, Applicant believes independent claims 1, 8, 15, and 19, and the claims depending therefrom, are in condition for allowance. Allowance of these claims is respectfully requested.

**CONCLUSION**

Any inquiry regarding this Amendment and Response should be directed to Jeff A. Holmen at the below-listed telephone number or Pamela Lau Kee at Telephone No. (408) 553-3059, Facsimile No. (408) 553-3063. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

Thomas Walley,

By his attorneys,

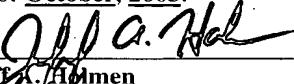
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**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20<sup>th</sup> day of October, 2003.

By   
Name: Jeff A. Holmen